ST/SGB/Staff Rules/1/Rev.7/Amend.3
1 January 1993

SECRETARY-GENERAL'S BULLETIN

To: Members of the staff

Subject: STAFF RULES

1. Staff rules 100.1 to 112.8, applicable to all staff members, except those specified in rule 100.1, published in document ST/SGB/Staff Rules/1/Rev.7 and Corr.1 and Amend.1 and 2, are hereby amended as described below.

2. Rule 103.8 (b), on salary and wage increments. This amendment deletes references to regular appointments, no longer in use in the United Nations, and also to a "second" salary increment in a probationary appointment, since the period of probationary service may be reduced under rule 104.12 (a) (i) and (ii).

3. Rule 103.9 (e), on salary policy in promotions, is amended to clarify the application of the rule on promotion from the General Service to the Professional category.

4. Rule 103.20 (d) (i) and (ii), (e) (i), and (m), is amended to reflect increases in the education grant approved in General Assembly resolution 47/216 of 23 December 1992.

5. Rule 103.22 (a), (b), (c) and (g), on the mobility and hardship allowance. These amendments clarify the definition of assignment for the purposes of the allowance and the starting-point for the mobility element, and extends the allowance to Field Service and internationally recruited General Service staff.

6. Rule 104.3, on re-employment. This amendment reflects an agreement reached at the Consultative Committee on Administrative Questions (COORD/R.430, para. 71). Other changes are editorial.

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7. Rule 104.12 (a) and (b), on temporary appointments, is amended to delete references to regular appointments and to give effect to General Assembly resolutions 37/126, 38/232 and 41/213. 1/

8. Rule 104.13 (a), (b) and (c), on permanent appointments, is amended to delete references to regular appointments, and to clarify the criteria for consideration for the granting of a permanent appointment.

9. Rule 104.14 (a) (i) and (f), on the Appointment and Promotion Board, is amended for editorial purposes and to align it with rules 104.12 and 104.13.

10. Rule 105.2 (b), on special leave, is amended to delete references to regular appointments.

11. Rule 106.2 (a) (iv), on sick leave, is amended to delete references to regular appointments and to effect an editorial change.

12. Rule 107.20 (f), on the assignment grant, corrects an inadvertent omission in the previous text.

13. Rule 107.22 (b), on insurance, updates amounts agreed upon by the organizations in the United Nations common system.

14. Rule 107.23, on travel advances, implements a recommendation agreed at the XVIth session of the Staff-Management Coordination Committee (SMCC XVI).

15. Rule 107.27 (g), on removal costs, is amended for the same purposes indicated in 13.

16. Rule 109.1 (c) (i) and (ii), on the Special Advisory Board, is amended to delete references to regular appointments and for editorial purposes.

17. Rule 109.5 (c) and (k), on the repatriation grant, is amended to delete an obsolete provision and to protect acquired rights where both husband and wife are staff members and one separates before the other, while avoiding a duplication of benefits.

18. Rule 111.2 (a), (b), (c), (d), (e), (f) and (o), on appeals, has been amended to align it to the provisions of rule 110.4 (d), which permits appeals in respect of disciplinary measures to be submitted directly to the Administrative Tribunal, and to clarify and expand the stay-of-action provision. Other changes are editorial.

19. Rule 112.8, on the effective date and authentic texts of rules, is amended to update the present text of the Staff Rules in accordance with this revision.

20. Appendix C (c), on military service, is amended to delete references to regular appointments.

1/ These amendments are without prejudice to the temporary suspension, in the light of the financial crisis and the reorganization measures, of the grant of new appointments, which suspension remains in effect.

21. Appendix D, article 16 (d), on compensation in the event of death, injury or illness attributable to the performance of official duties on behalf of the United Nations, is amended to change the composition of the Board in order to expedite the processing of compensation claims.

22. New pages 17, 18, 18a, 24, 25, 27, 28, 32, 33, 35, 36, 37, 39, 43, 48, 63a, 67, 70, 77, 79, 81, 92, 93, 94, 94a, 97, 120 and 122 are transmitted herewith for insertion in the Staff Rules.

Boutros BOUTROS-GHALI
Secretary-General

(ii) When a staff member is assigned to a duty station for less than one year, the Secretary-General shall decide at that time whether to apply the post adjustment applicable to the duty station and, if appropriate, to pay an assignment grant under rule 107.20 and the hardship and non-removal elements of the mobility and hardship allowance under rule 103.22 or, in lieu of the above, to authorize appropriate subsistence payments;

(iii) When the Secretary-General designates an assignment as a special mission assignment under rule 103.21 (a), with provision for mission subsistence allowance, the post adjustment for the mission area will not be applicable.

(e) At duty stations where the average rental cost used in calculating the post adjustment index is based on the cost of housing provided by the United Nations, by the Government or by a related institution, staff members who have to rent housing accommodation at substantially higher commercial rates will be paid a supplement to the post adjustment in the form of a rental subsidy under conditions established by the Secretary-General.

Rule 103.8

Salary and wage increments

(a) Satisfactory service for the purpose of awarding a salary increment shall be defined, unless otherwise decided by the Secretary-General in any particular case, as satisfactory performance and conduct of staff members in their assignments as evaluated by their supervisors.

(b) Notwithstanding paragraph (a) of this rule, in the absence of exceptional circumstances, salary increments falling due within a month of the date on which a review of a probationary appointment is due shall be withheld until a permanent appointment has been granted or the probationary period extended. Salary increments granted under this paragraph shall become effective in accordance with the provisions of paragraph (c) below.

(c) Salary and wage increments shall be effective on the first day of the pay period in which the service requirements are completed, provided that the period of service may be shortened to meet the requirements of rule 103.9 and that such increments shall not be effective earlier than the first day of the pay period in which a staff member returns to pay status from a period of leave without pay. No increment shall be paid in the case of staff members whose services will cease during the month in which the increment would otherwise have been due.

(d) If a staff member with satisfactory service is changed to a lower salary level, the period of service since the last increment shall be credited towards the next increment within the lower level. If a staff member whose service has not been satisfactory is changed to a lower salary level, the staff member's eligibility for salary increment in the lower level will be based on satisfactory service in the lower level.

Rule 103.9

Salary policy in promotions

(a) On promotion, a staff member shall be placed at the lowest step in the level to which he or she has been promoted that provides an increase in net base salary equal to at least the amount that would have resulted from the granting of two steps at the lower level.

(b) If promotion is effective on the month in which an increment at the lower level is due, such increment will be included in the salary at the lower level, to which two steps will then be added to determine the staff member's salary on promotion in accordance with paragraph (a) above.

(c) The date of the first salary increment at the higher level shall be the anniversary date of promotion, except that:

(i) In the case of those increments that require two years of satisfactory service, the first increment at the higher level will become due two years from the date of promotion; and

(ii) In the case of accelerated increments, the first increment at the higher level will become due ten or twenty months from the date of promotion, as appropriate.

(d) On promotion from the General Service and related categories to the Professional category and, in order to determine in accordance with paragraph (a) above the step that should be granted within the level to which the staff member is promoted, the following emoluments shall also be taken into account:

(i) The net amount of any pensionable allowance that the staff member received at the lower level; and

(ii) The post adjustment that, at the duty station where the staff member was serving prior to promotion, corresponds to the net base salary at the single rate for the level and step in the Professional category to which the staff member is promoted.

(e) Where the total net remuneration before promotion of a staff member in the General Service and related categories exceeds that at the Professional level before promotion, established in accordance with subparagraph (d) above, a personal transitional allowance in an amount sufficient to meet the requirements of subparagraph (a) will be paid until such time as it is overtaken by increases in net remuneration at the Professional level.

Rule 103.10

(Cancelled)

Rule 103.11

Special post allowance

(a) Staff members shall be expected to assume temporarily, as a normal part of their customary work and without extra compensation, the duties and responsibilities of higher level posts.

(b) Without prejudice to the principle that promotion under staff rule 104.14 shall be the normal means of recognizing increased responsibilities and demonstrated ability, a staff member who is called upon to assume the full duties and responsibilities of a post at a clearly recognizable higher level than his or her own for a temporary period exceeding three months may, in exceptional cases, be granted a non-pensionable special post allowance from the beginning of the fourth month of service at the higher level.

(c) In the case of a staff member assigned to serve on a mission, or when a staff member in the General Service category is required to serve in a higher level post in the Professional category, or when a staff member in any category is required to serve in a post which is classified more than one level above his or her level, the allowance may be paid immediately the staff member assumes the higher duties and responsibilities.

who is unable, by reasons of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him or her for full integration into society or, while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability;

(ii) "Home country" means the country of home leave of the staff member under rule 105.3. If both parents are eligible staff members, "home country" means the country of home leave of either parent;

(iii) "Duty station" means the country, or area within commuting distance notwithstanding national boundaries, where the staff member is serving.

Eligibility

(b) A staff member who is regarded as an international recruit under rule 104.7 and whose duty station is outside his or her home country shall be entitled to an education grant in respect of each child in full-time attendance at a school, university or similar educational institution. If such a staff member is reassigned to a duty station within his or her home country, he or she may receive the education grant for the balance of a school year, not exceeding one full school year after his or her return from expatriate service. The Secretary-General may also authorize payment of the education grant, during mission service, to a staff member regarded under rule 104.6, as a local recruit at his or her normal official duty station. The grant shall not, however, be payable in respect of:

(i) Attendance at a kindergarten or nursery school at the pre-primary level;

(ii) Attendance at a free school or one charging only nominal fees at the duty station;

(iii) (Cancelled)

(iv) Correspondence courses, except those which in the opinion of the Secretary-General are the best available substitute for full-time attendance at a school of a type not available at the duty station;

(v) Private tuition, except tuition in a language of the home country at duty stations where satisfactory school facilities for learning that language are not available;

(vi) Vocational training or apprenticeship which does not involve full-time schooling or in which the child receives payment for services rendered.

(c) (i) The grant shall be payable up to the end of the school year in which the child completes four years of post-secondary studies or is awarded the first recognized degree, whichever is the earlier;

(ii) The grant will not normally be payable beyond the school year in which the child reaches the age of twenty-five years. If the child's education is interrupted for at least one school year by national service, illness or other compelling reasons, the period of eligibility shall be extended by the period of interruption.

Amount of the grant

(d) In the case of attendance at an educational institution outside the duty station, the amount of the grant shall be:

(i) Where the institution provides board for the child, 75 per cent of the allowable costs of attendance and of the cost of board up to $13,000 a year, with a maximum grant of $9,750 a year;

(ii) Where the institution does not provide board, $2,900 plus 75 per cent of the allowable costs of attendance up to $9,133 a year, with a maximum grant of $9,750 a year.

However, in the case of staff members serving at designated duty stations, 100 per cent of boarding costs up to $3,000 a year may be reimbursed in respect of attendance at the primary or secondary levels, as an amount additional to the maximum grant of $9,750 a year.

(e) In the case of attendance at an educational institution at the duty station:

(i) The amount of the grant shall be 75 per cent of the cost of attendance up to $13,000 a year, with a maximum grant of $9,750 a year;

(ii) Where such an educational institution is located beyond commuting distance from the area where the staff member is serving and, in the opinion of the Secretary-General, no school in that area would be suitable for the child, the amount of the grant shall be calculated at the same rates as specified in paragraph (d) above.

(f) Where attendance is for less than two thirds of the scholastic year, the amount of the grant for that year shall be that proportion of the grant otherwise payable which the period of attendance bears to the full scholastic year.

(g) Where the period of service of the staff member does not cover the full scholastic year, the amount of the grant for that year shall normally be that proportion of the grant otherwise payable which the period of service bears to the full scholastic year.

Travel

(h) A staff member to whom an education grant is payable under paragraph (d) or under subparagraph (e) (ii) above in respect of his or her child's attendance at an educational institution shall be entitled to travel expenses for the child of one return journey each scholastic year between the educational institution and the duty station, provided that:

(i) Such travel expenses shall not be paid if the requested journey is unreasonable, either because of its timing in relation to other authorized travel of the staff member or his or her eligible family members or because of the brevity of the visit in relation to the expense involved;

(ii) Where attendance is for less than two thirds of the school year, travel expenses shall not normally be payable;

(iii) Transportation expenses shall not exceed the cost of a journey between the staff member's home country and the duty station.

However, in the case of staff members serving at designated duty stations, such travel expenses may be paid twice in the year in which the staff member is not entitled to home leave. Such expenses may also be paid for up to two round trips per school year in the case indicated in paragraph (r) below.

Tuition of the mother tongue

(i) The Secretary-General will decide in each case whether the education grant shall be paid for tuition of the mother tongue under staff regulation 3.2 (c).

Claims

(j) Claims for the education grant shall be submitted in writing and supported by evidence satisfactory to the Secretary-General.

Establishment of the grant in local currency

(k) When the educational expenses are incurred in countries specially designated by the Secretary-General, the amounts set out in paragraphs (d) and (e) above shall be established in local currency.

Special education grant for disabled children

(l) A special education grant for disabled children shall be available to staff members of all categories, regardless of whether or not they are serving in their home country, provided that they have an appointment of one year or longer or have completed one year of continuous service.

(m) The amount of the grant shall be 100 per cent of the educational expenses actually incurred up to a maximum grant of $13,000 a year. If the disabled child is eligible for the regular education grant, the total amount payable under the two types of grant shall not exceed $13,000 a year. "Educational expenses" reimbursable under the special education grant shall comprise the expenses incurred to provide an educational programme designed to meet the needs of the disabled child in order that he or she may attain the highest possible level of functional ability.

(n) The grant shall be computed on the basis of the calendar year, if the child is unable to attend a normal educational institution, or on the basis of the school year, if the child is in full-time attendance at a normal educational institution while receiving special teaching or training. The grant shall be payable in respect of any disabled child from the date on which the special teaching or training is required up to the end of the school year or the calendar year, as appropriate, in which the child reaches the age of twenty-five years. In exceptional cases, the age limit may be extended up to the end of the school year or the calendar year, as appropriate, in which the child reaches the age of twenty-eight years.

(o) Where the period of service does not cover the full school year or calendar year, the amount of the grant shall be that proportion of the annual grant which the period of service bears to the full school or calendar year.

(p) Claims for the grant shall be submitted annually in writing and supported by medical evidence satisfactory to the Secretary-General regarding the child's disability. The staff member shall also be required to provide evidence that he or she has exhausted all other sources of benefits that may be available for the education and training of the child. The amount of educational expenses used as the basis for the calculation of the special education grant shall be reduced by the amount of any benefits so received or receivable by the staff member.

(q) The provision in paragraph (k) above shall also apply to the computation and payment of the special education grant for disabled children.

(r) Where the disabled child attends an educational institution away from the duty station, travel costs may be paid for up to two round trips per school year between the educational institution and the duty station, provided the Secretary-General is satisfied that the needs of the disabled child require attendance at that educational institution. In very exceptional circumstances, travel may also be reimbursed for the person accompanying the disabled child.

Rule 103.21

Salary and allowances during mission assignments

(a) The Secretary-General may designate special mission assignments, including assignments for periods of one year or more, during which a mission subsistence allowance shall be authorized in lieu of the mobility and hardship allowance under rule 103.22, the assignment grant under rule 107.20 and any post adjustment to the area applicable under rule 103.7 (a). Where such a designation has been made, the mission subsistence allowance shall be payable to staff members recruited or assigned from outside the area of the mission, and the salaries of staff members assigned from another duty station shall continue to be subject to the post adjustment and allowances, if any, applicable at the duty station from which the staff members were assigned.

(b) The Secretary-General shall set the rates and conditions for the mission subsistence allowance payable on each such assignment. Eligible staff members who have a dependent spouse or one or more dependent children may be authorized to receive a higher rate of mission subsistence allowance than staff members not having such dependants. Where both husband and wife are staff members who are entitled to mission subsistence allowance, and taking into account rule 104.10 (d), the allowance will be paid to each at the single rate. If they have a dependent child or children, the allowance will be paid at the dependency rate to the spouse having the higher salary level and at the single rate to the other spouse. The allowance may be paid wholly or partially in the currency of the mission area or in the form of provision of food and/or lodging in kind.

(c) The Secretary-General may pay a clothing allowance to staff members who are assigned to service with a mission in a tropical or arctic area. The United Nations shall provide uniforms and accessories, but no clothing allowance, to members of the Field Service who are required to wear them.

Rule 103.22

Assignment allowance

(Cancelled)

Rule 103.22

Mobility and hardship allowance

(a) For the purpose of this rule, "assignment" means the staff member's initial appointment or any subsequent movement to a new duty station for a period of one year or more which normally involves payment of the assignment grant.

(b) As an incentive to mobility and to compensate for hardship and non-removal of personal effects and household goods, a non-pensionable allowance composed of three elements - mobility, hardship and non-removal of personal effects and household goods - shall be payable upon arrival at the new duty station to internationally recruited staff members subject to the conditions set out in paragraphs (c), (d) and (e) below.

(c) The mobility element of the allowance shall be payable provided that:

(i) The staff member has served in the United Nations common system for a period of five consecutive years;

(ii) The staff member is assigned to a second or subsequent duty station. However, in the case of service at headquarters duty stations or other designated duty stations, three previous assignments will be required, of which at least two should have been at duty stations classified at hardship levels established by the Secretary-General;

(iii) (Cancelled)

The mobility element of the allowance shall be discontinued or reduced under terms and conditions established by the Secretary-General.

(d) The hardship element of the allowance shall be payable to staff members who are assigned to duty stations classified at hardship levels established by the Secretary-General. This element shall be payable for the duration of the staff member's assignment according to the hardship classification of the duty station.

(e) (i) The non-removal element shall be payable to staff members who, on assignment to a duty station, did not have an entitlement to removal costs under rule 107.27, provided that an entitlement to the assignment grant exists;

(ii) Where the assignment is for two years or more, normally removal costs under rule 107.27 will be paid in the case of service at headquarters duty stations or other designated duty stations in similar locations and the non-removal element will be paid in the case of service at all other duty stations;

(iii) The non-removal element shall be discontinued if an entitlement to removal to the duty station under rule 107.27 arises. However, the Secretary-General may decide to continue payment of the non-removal element of the allowance in lieu of removal costs under rule 107.27.

(f) For staff members at the P-4 and P-5 levels entitled to the dependency rate, the amount of the mobility and hardship allowance shall be determined by applying to the base salary at the dependency rate for the P-4 level, step VI, the percentages in a matrix established by the Secretary-General. For staff at the P-1 to P-3 levels entitled to the dependency rate, such amount shall be reduced by 13 per cent; for staff at the D-1 level and higher categories entitled to the dependency rate, such amount shall be increased by 13 per cent. The amounts payable at the single rate shall be 75 per cent of the amounts payable at the dependency rate.

(g) The mobility and hardship allowance shall be payable to staff in the Field Service category and to internationally recruited General Service staff in accordance with the conditions established by the Secretary-General.

Article IV

APPOINTMENT AND PROMOTION

Regulation 4.1: As stated in Article 101 of the Charter, the power of appointment of staff members rests with the Secretary-General. Upon appointment, each staff member shall receive a letter of appointment in accordance with the provisions of annex II to the present Regulations and signed by the Secretary-General or by an official in the name of the Secretary-General.

Regulation 4.2: The paramount consideration in the appointment, transfer or promotion of the staff shall be the necessity for securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Regulation 4.3: In accordance with the principles of the Charter, selection of staff members shall be made without distinction as to race, sex or religion. So far as practicable, selection shall be made on a competitive basis.

Regulation 4.4: Subject to the provisions of Article 101, paragraph 3, of the Charter, and without prejudice to the recruitment of fresh talent at all levels, the fullest regard shall be had, in filling vacancies, to the requisite qualifications and experience of persons already in the service of the United Nations. This consideration shall also apply, on a reciprocal basis, to the specialized agencies brought into relationship with the United Nations.

Regulation 4.5: (a) Appointment of Under-Secretaries-General and of Assistant Secretaries-General shall normally be for a period of five years, subject to prolongation or renewal. Other staff members shall be granted either permanent or temporary appointments under such terms and conditions consistent with the present regulations as the Secretary-General may prescribe.

(b) The Secretary-General shall prescribe which staff members are eligible for permanent appointments. The probationary period for granting or confirming a permanent appointment shall normally not exceed two years, provided that in individual cases, the Secretary-General may extend the probationary period for not more than one additional year.

Regulation 4.6: The Secretary-General shall establish appropriate medical standards which staff members shall be required to meet before appointment.

Chapter IV

APPOINTMENT AND PROMOTION

Rule 104.1

Letter of appointment

The letter of appointment granted to every staff member contains expressly or by reference all the terms and conditions of employment. All contractual entitlements of staff members are strictly limited to those contained expressly or by reference in their letters of appointment.

Rule 104.2

Effective date of appointment

(a) The appointment of every locally recruited staff member shall take effect from the date on which the staff member starts to perform his or her duties.

(b) The appointment of every staff member internationally recruited shall take effect from the date on which the staff member enters into official travel status to assume his or her duties or, if no official travel is involved, from the date on which the staff member starts to perform his or her duties.

Rule 104.3

Re-employment

(a) A former staff member who is re-employed shall be given a new appointment or, if re-employed within twelve months of being separated from service or within any longer period following retirement or disability under the Joint Staff Pension Fund Regulations, he or she may be reinstated in accordance with paragraph (b) below. If the former staff member is reinstated, it shall be so stipulated in his or her letter of appointment. If he or she is given a new appointment, its terms shall be fully applicable without regard to any period of former service, except that such former service shall be counted for the purpose of determining seniority in grade. However, where a former staff member of the United Nations common system is granted a new appointment within twelve months of separation, any entitlement, benefit or accrual the staff member may have when separated for a second time should be adjusted in such a way that the total payments for the first and second separation do not exceed the amounts which would have been paid had the service been continuous.

(b) On reinstatement the staff member's services shall be considered as having been continuous, and the staff member shall return to the United Nations any monies he or she received on account of separation, including termination indemnity under rule 109.4, repatriation grant under rule 109.5 and payment for accrued annual leave under rule 109.8. The interval between separation and reinstatement shall be charged, to the extent possible and necessary, to annual leave, with any further period charged to special leave without pay. The staff member's sick leave

credit under rule 106.2 at the time of separation shall be re-established; the staff member's participation, if any, in the Joint Staff Pension Fund shall be governed by the Regulations of that Fund.

Rule 104.4

Notification by staff members and obligation to supply information

(a) Staff members shall be responsible on appointment for supplying the Secretary-General with whatever information may be required for the purpose of determining their status under the Staff Regulations and Staff Rules or of completing administrative arrangements in connection with their appointments.

(b) Staff members shall also be responsible for promptly notifying the Secretary-General, in writing, of any subsequent changes affecting their status under the Staff Regulations or Staff Rules.

(c) A staff member who intends to acquire permanent residence status in any country other than that of his or her nationality or who intends to change his or her nationality shall notify the Secretary-General of that intention before the change in residence status or in nationality becomes final.

(d) A staff member who is arrested, charged with an offence other than a minor traffic violation or summoned before a court as a defendant in a criminal proceeding, or convicted, fined or imprisoned for any offence other than a minor traffic violation shall immediately report the fact to the Secretary-General.

(e) A staff member may at any time be required by the Secretary-General to supply information concerning facts anterior to his or her appointment and relevant to his or her suitability, or concerning facts relevant to his or her integrity, conduct and service as a staff member.

Rule 104.5

Geographical distribution

Recruitment on as wide a geographical basis as possible, in accordance with the requirements of staff regulation 4.2, shall not apply to posts in the General Service category or in similar salary levels.

Rule 104.6

Local recruitment

(a) The conditions under which staff members shall be regarded as local recruits for the purposes of these Rules at each duty station, including missions, are set forth in the appendix B to these Rules applicable to the duty station.

(b) A staff member regarded as having been locally recruited shall not be eligible for the allowances or benefits indicated under rule 104.7.

Rule 104.7

International recruitment

(a) Staff members other than those regarded under rule 104.6 as having been locally recruited shall be considered as having been internationally recruited. The allowances and benefits in general available to internationally recruited staff members include: payment of travel expenses upon initial appointment and on separation for themselves and their spouses and dependent children, removal of household effects, non-resident's allowance, home leave, education grant and repatriation grant.

(b) Members of the Field Service and staff members recruited specifically for mission service shall not be eligible for non-resident's allowance or removal of household effects.

(c) A staff member who has changed his or her residential status in such a way that he or she may, in the opinion of the Secretary-General, be deemed to be a permanent resident of any country other than that of his or her nationality may lose entitlement to non-resident's allowance, home leave, education grant, repatriation grant and payment of travel expenses upon separation for the staff member and his or her spouse and dependent children and removal of household effects, based upon place of home leave, if the Secretary-General considers that the continuation of such entitlement would be contrary to the purposes for which the allowance or benefit was created. Conditions governing entitlement to international benefits in the light of residential status are shown in the appendix B to these Rules applicable to the duty station.

Rule 104.8

Nationality

(a) In the application of Staff Regulations and Staff Rules, the United Nations shall not recognize more than one nationality for each staff member.

(b) When a staff member has been legally accorded nationality status by more than one State, the staff member's nationality for the purposes of the Staff Regulations and these Rules shall be the nationality of the State with which the staff member is, in the opinion of the Secretary-General, most closely associated.

Rule 104.9

(Cancelled)

Rule 104.10

Family relationships

(a) Except where another person equally well qualified cannot be recruited appointment shall not be granted to a person who bears any of the following relationships to a staff member: father, mother, son, daughter, brother or sister.

(b) The husband or wife of a staff member may be appointed provided that he or she is fully qualified for the post for which he or she is being considered and that the spouse is not given any preference by virtue of the relationship to the staff member.

(c) A staff member who bears to another staff member any of the relationships specified in (a) and (b) above:

(i) Shall not be assigned to serve in a post which is superior or subordinate in the line of authority to the staff member to whom he or she is related;

(ii) Shall disqualify himself or herself from participating in the process of reaching or reviewing an administrative decision affecting the status or entitlements of the staff member to whom he or she is related.

(d) The marriage of one staff member to another shall not affect the contractual status of either spouse but their entitlements and other benefits shall be modified as provided in the relevant Staff Regulations and Rules. The same modifications shall apply in the case of a staff member whose spouse is a staff member of another organization participating in the United Nations common system. Where both husband and wife are staff members and maintain separate households because they are assigned to different duty stations, the Secretary-General may decide to maintain such separate entitlements and benefits, provided that this is not inconsistent with any staff regulation or other decision of the General Assembly.

Rule 104.11

(Cancelled)

Rule 104.12

Temporary appointments

On recruitment, staff members may be granted one of the following types of temporary appointments: probationary appointment, fixed-term appointment or indefinite appointment.

(a) Probationary appointment

(i) The probationary appointment may be granted to persons under the age of fifty years who are recruited for career service. The period of probationary service under such an appointment shall normally be two years. In exceptional circumstances, it may be reduced or extended for not more than one additional year.

At the end of the probationary service, the holder of a probationary appointment shall either be granted a permanent appointment or be separated from the service.

The probationary appointment shall have no specific expiration date and shall be governed by the Staff Regulations and Staff Rules applicable to temporary appointments which are not for a fixed term.

(ii) Without prejudice to the provisions of (b) (ii) below, the Secretary-General may, in appropriate cases, reduce or waive the required period of probationary service following an equivalent period of continuous service on fixed-term appointment.

(b) Fixed-term appointment

(i) The fixed-term appointment, having an expiration date specified in the letter of appointment, may be granted for a period not exceeding five years to persons recruited for service of prescribed duration, including persons temporarily seconded by national Governments or institutions for service with the United Nations.

(ii) The fixed-term appointment does not carry any expectancy of renewal or of conversion to any other type of appointment.

(iii) Notwithstanding subparagraph (ii) above, upon completion of five years of continuous service on fixed-term appointments, a staff member who has fully met the criteria of staff regulation 4.2, and who is under the age of fifty-three years, will be given every reasonable consideration for a permanent appointment, taking into account all the interests of the Organization.

(c) Indefinite appointment

The indefinite appointment may be granted to:

(i) Persons specifically recruited for mission service who are not granted a fixed-term or regular appointment;

(ii) Persons specifically recruited for service with the Office of the United Nations High Commissioner for Refugees or any other agency or office of the United Nations as may be designated by the Secretary-General.

The indefinite appointment does not carry any expectancy of conversion to any other type of appointment. The indefinite appointment shall have no specific expiration date and, except as provided in staff rule 106.2 (a) (iv), shall be governed by the Staff Regulations and Staff Rules applicable to temporary appointments which are not for a fixed term.

Rule 104.13

Permanent appointments

(a) Permanent appointment

(i) The permanent appointment may be granted, in accordance with the needs of the Organization, to staff members who, by their qualifications, performance and conduct, have fully demonstrated their suitability as international civil servants and have shown that they meet the high standards of efficiency, competence and integrity established in the Charter, provided that:

a. They have completed the period of probationary service required by rule 104.12 (a) (i), or

b. The period of probationary service has been waived in accordance with rule 104.12 (a) (ii), or

c. They have completed five years of continuous service under fixed-term appointments and have been favourably considered under the terms of rule 104.12 (b) (iii).

(ii) Permanent appointments shall be subject to review at the end of the first five years of service under such appointment.

(b) (i) Recommendations proposing the grant of permanent appointments on the ground that a staff member whose probationary period has been either completed or waived under the terms of rule 104.12 (a) (ii) or (b) (iii) has met the requirements of this rule may be made to the Secretary-General by agreement between the Office of Human Resources Management and the department or office concerned. Such agreements shall be reported to the Appointment and Promotion Board before submission to the Secretary-General.

(ii) Affirmative recommendations to the effect that the holder of a permanent appointment under a five-year review has maintained the requisite standards of suitability may similarly be made by agreement between the Office of Human Resources Management and the department or office concerned and shall be reported to the Appointment and Promotion Board before submission to the Secretary-General.

(c) Permanent appointments limited to service with one of the programmes, funds or subsidiary organs referred to in rule 104.14 (a) (i) may be granted by its corresponding heads with the assistance of such boards as may be established in accordance with the provisions of the last sentence of rule 104.14 (a) (i).

Rule 104.14

Appointment and Promotion Board

(a) (i) An Appointment and Promotion Board shall be established by the Secretary-General to give advice on the appointment, promotion and review of staff in the General Service and related categories and in the Professional category, and on the appointment and review of staff at the Principal Officer level, except those specifically recruited for service with any programme, fund or subsidiary organ of the United Nations to which the Secretary-General has delegated appointment and promotion functions. The Secretary-General shall also establish appointment and promotion committees and such other subsidiary panels as may be necessary to assist the Appointment and Promotion Board in the performance of its functions. The heads of the organs referred to above may establish boards whose composition and functions are generally comparable to those of the Appointment and Promotion Board to advise them in the case of staff members recruited specifically for service with those programmes, funds or subsidiary organs.

(ii) Subject to the criteria of Article 101, paragraph 3, of the Charter and to the provisions of staff regulations 4.2 and 4.4, the Appointment and Promotion Board shall, in filling vacancies, normally give preference, where qualifications are equal, to staff members already in the Secretariat and staff members in other international organizations.

(b) Composition and procedures of the Appointment and Promotion Board

(i) The Appointment and Promotion Board shall consist of seven members and an appropriate number of alternates to be determined by the Secretary-General, at the Principal Officer level and above. The Assistant Secretary-General for Human Resources Management, or an authorized representative shall serve ex officio as a non-voting member of the Board. The other members and alternates shall be appointed by the Secretary-General after consultation with the appropriate staff representative body. Such members and alternates shall be appointed for fixed periods, normally of one year, subject to renewal. The Secretary-General will ensure that three members and at least three alternates are appointed from nominees submitted by the appropriate staff representative body.

(ii) The Board shall elect its own Chairman and establish its own procedures.

(c) Composition and procedures of the Appointment and Promotion Committees

(i) The Appointment and Promotion Committee at Headquarters shall consist of seven members and fourteen alternates, at the Second Officer level and above. A designated official of the Office of Human Resources Management shall serve ex officio as a non-voting member of the Committee. The other members and alternates shall be appointed by the Secretary-General after consultation with the appropriate staff representative body. Such members and alternates shall be appointed for fixed periods, normally of one year, subject to renewal. The Secretary-General will ensure that three members and seven alternates are appointed from nominees submitted by the appropriate staff representative body. The Appointment and Promotion Committees established at other designated offices shall be similarly constituted and shall be composed of five or seven members and an equal number of alternates, with at least half appointed from nominees submitted by the appropriate staff representative body.

(ii) Each committee shall elect its own Chairman and, subject to such general directives as may be issued by the Board, shall establish its own procedures.

(d) Subsidiary panels

As necessary, working groups at Headquarters and in other designated offices, with functions comparable to those of the Appointment and Promotion Board and committees, may be appointed in the same manner by the Secretary-General.

(e) For any particular review where promotion is envisaged, the rank of members or alternates serving on the committees or subsidiary panels shall not be below the level to which promotion is contemplated.

(f) Functions of the Appointment and Promotion Board

The function of the Appointment and Promotion Board shall be to make recommendations to the Secretary-General in respect of the following:

(i) Appointment

Proposed probationary appointments and other proposed appointments of a probable duration of one year or more, excluding the appointment of persons recruited specifically for service with a mission.

(ii) Review

a. The suitability for permanent appointment of staff members whose eligibility is established under the terms of rule 104.13 (a) (i). With respect to holders of probationary appointments, recommendations of the Board may include extension of the probationary period for one additional year or separation from the service.

b. The review of appointments of staff members holding permanent appointments, as may be referred to it in accordance with the provisions of rule 104.13 (b) (ii). Upon completion of the first five years of service under such appointments, for the purpose of determining whether the staff member concerned has maintained the standards of efficiency, competence and integrity established in the Charter.

c. The review of proposals for the termination of permanent appointments for unsatisfactory services under staff regulation 9.1 (a) in accordance with the special procedure established for that purpose by the Secretaty-General.

(iii) Promotion

a. The selection of staff members qualified for promotion. For this purpose, the Board shall normally once a year conduct a comprehensive, grade-by-grade review of all staff members within its purview. Wherever practicable, it shall develop and maintain promotion registers embodying the results of such a review. These registers shall be established in relation to an estimate of the total number of known and foreseeable vacancies to be filled by promotion at each grade level in the period until the next general review of staff.

b. In the event that a particular vacancy cannot, by reason of the nature of the work, be appropriately filled from a promotion register, the Board may recommend exceptionally, in advance of the next regular review, the promotion of a staff member considered by it to be best qualified after review of a relevant group of staff.

c. Minimum periods of service in the grade, as a normal requirement for consideration for promotion, shall be established by the Secretary-General upon recommendation by the Appointment and Promotion Board.

(g) The foregoing functions with respect to staff in the Professional category and at the Principal Officer level will be performed by the Appointment and Promotion Board or, at its request, by the Appointment and Promotion Committees, which will report to the Board. The same functions in respect of staff in the General Service category will normally be performed by working groups, in accordance with the provisions establishing such working groups.

Rule 104.15

Medical examination

(a) Staff members may be required from time to time to satisfy the United Nations Medical Officer, by medical examination, that they are free from any ailment likely to impair the health of others.

(b) Staff members may also be required to undergo such medical examinations and receive such inoculations as may be required by the United Nations Medical Officer before they go on or after they return from mission service.

Rule 105.2

Special leave

(a) (i) Special leave may be granted for advanced study or research in the interest of the United Nations, in cases of extended illness, for child care or for other important reasons for such period as the Secretary-General may prescribe. In exceptional cases, the Secretary-General may, at his initiative, place a staff member on special leave with full pay if he considers such leave to be in the interest of the Organization.

(ii) Special leave is normally without pay. In exceptional circumstances, special leave with full or partial pay may be granted.

(iii) In the case of adoption of a child, special leave with full pay may be granted under the conditions and for the period established by the Secretary-General.

(iv) Special leave shall not be authorized for governmental service in a political office, in a diplomatic or other representational post or for the purpose of performing any functions that are incompatible with the staff member's continuing status as an international civil servant. In exceptional circumstances, special leave without pay may be granted to a staff member who is requested by his or her Government to render temporary services involving functions of a technical nature.

(b) A staff member, other than one recruited specifically for a mission, who has completed one year of satisfactory probationary service or who has a permanent appointment and who is called upon to serve in the armed forces of the State of which the staff member is a national, whether for training or active duty, may be granted special leave without pay for the duration of such military service, in accordance with terms and conditions set forth in appendix C to these Rules.

(c) Staff members shall not accrue service credits towards sick, annual and home leave, salary increment, seniority, termination indemnity and repatriation grant during periods of special leave with partial pay or without pay. Periods of less than one full month of such leave shall not affect the ordinary rates of accrual. Continuity of service shall not be considered broken by periods of special leave.

Rule 105.3

Home leave

(a) Staff members regarded as international recruits under rule 104.7 (a) and not excluded from home leave under rule 104.7 (c), who are serving outside their home country and who are otherwise eligible, shall be entitled once in every two years of qualifying service to visit their home country at United Nations expense for the purpose of spending in that country a substantial period of annual leave. Leave taken for this purpose and under the terms and conditions set forth in this rule shall hereinafter be referred to as home leave.

(b) A staff member shall be eligible for home leave provided the following conditions are fulfilled:

(i) While performing his or her official duties:

a. The staff member continues to reside in a country other than that of which he or she is a national; or

b. In the case of a staff member who is a native of a non-metropolitan territory of the country of the duty station and who maintained his or her normal residence in such non-metropolitan territory prior to appointment, he or she continues to reside, while performing his or her official duties, outside such territory;

(ii) The staff member's service is expected by the Secretary-General to continue:

a. At least six months beyond the date of his or her return from any proposed home leave; and

b. In the case of the first home leave, at least six months beyond the date on which the staff member will have completed two years of qualifying service;

(iii) In the case of home leave following the return from a family visit travel under rule 107.1 (b), normally not less than nine months of continuous service have elapsed since departure on the family visit travel.

(c) Staff members whose eligibility under paragraph (b) above is established at the time of their appointment shall begin to accrue service credit towards home leave from that date. Staff members who become eligible for home leave subsequent to appointment shall begin to accrue such service credit from the effective date of their becoming eligible.

(d) The country of home leave shall be the country of the staff member's nationality, subject to the following terms, conditions and exceptions:

(i) The place of home leave of the staff member within his or her home country shall be, for purposes of travel and transportation entitlements, the place with which the staff member had the closest residential ties during the period of his or her most recent residence in the home country. In exceptional circumstances, a change in the place in the country of home leave may be authorized, under conditions established by the Secretary-General.

(ii) A staff member who has served with another public international organization immediately preceding his or her appointment shall have the place of home leave determined as though his or her entire previous service with the other international organization had been with the United Nations.

Article VI

SOCIAL SECURITY

Regulation 6.1: Provision shall be made for the participation of staff members in the United Nations Joint Staff Pension Fund in accordance with the regulations of that Fund.

Regulation 6.2: The Secretary-General shall establish a scheme of social security for the staff, including provisions for health protection, sick leave and maternity leave, and reasonable compensation in the event of illness, accident or death attributable to the performance of official duties on behalf of the United Nations.

Chapter VI

SOCIAL SECURITY

Rule 106.1

Participation in the Pension Fund

Staff members whose appointments are for six months or longer or who complete six months of service under shorter appointments without an interruption of more than thirty days shall become participants in the United Nations Joint Staff Pension Fund, provided that participation is not excluded by their letters of appointment.

Rule 106.2

Sick leave

(a) Staff members who are incapacitated for the performance of their duties by illness or injury or whose attendance is prevented by public health requirements will be granted sick leave in accordance with the following provisions:

(i) All sick leave must be approved on behalf of the Secretary-General;

(ii) A staff member holding a fixed-term appointment for less than one year shall be granted sick leave credit at the rate of two working days a month of contractual service;

(iii) A staff member holding a probationary appointment or a fixed-term appointment of one year or longer but less than three years shall be granted sick leave up to three months on full salary and three months on half salary in any period of twelve consecutive months;

(iv) A staff member who holds a permanent or indefinite appointment, who holds a fixed-term appointment for three years or who has completed three years of continuous service shall be granted sick leave up to nine months on full salary and nine months on half salary in any period of four consecutive years;

(v) Staff members shall be responsible for informing their supervisors as soon as possible of absences due to illness or injury. Where practicable, they should, before absenting themselves, report to the United Nations Medical Officer;

(vi) Except with the approval of the Secretary-General, no staff member may be granted sick leave for a period of more than three consecutive working days without producing a certificate from a duly qualified medical practitioner to the effect that the staff member is unable to perform his or her duties and stating the nature of the illness and the probable duration of incapacity. Such certificate shall, except in circumstances beyond the control of the staff member, be produced not later than the end of the fourth working day following the initial absence from duty of the staff member;

(b) The amount of the assignment grant shall be equivalent to:

(i) Thirty days of subsistence allowance at the daily rate applicable under subparagraph (c) (i) below; and

(ii) Thirty days of subsistence allowance at half such daily rate in respect of each family member for whom travel expenses have been paid by the United Nations under rule 107.2 (a) (i), (ii) or (iii) and 107.3.

The above-mentioned amounts shall be calculated on the basis of the rate prevailing on the date of arrival at the duty station of the staff member or of the staff member's family member, as appropriate.

(c) (i) The Secretary-General may establish special rates of subsistence allowance for the purposes of the assignment grant for specific categories of staff at various duty stations and publish such rates by administrative instruction or other appropriate means. Where such special rates have not been established, the travel subsistence allowance rates under rule 107.15 shall be used in computing the assignment grant;

(ii) Under conditions established by the Secretary-General, the limit of thirty days provided in paragraph (b) above may be extended to a maximum of ninety days. The amount of the grant during the extended period shall be up to 60 per cent of the appropriate prevailing rate.

(d) In addition to any amount of grant paid under paragraph (b) above, a lump sum calculated on the basis of the staff member's net base salary and, where appropriate, post adjustment at the duty station of assignment may be paid under conditions established by the Secretary-General. The lump sum shall be payable at the following rates:

(i) At headquarters duty stations and other designated duty stations, a lump sum equivalent to one month's net base salary and, where appropriate, post adjustment provided the staff member is not entitled to removal costs under staff rule 107.27.

(ii) At all other duty stations:

a. Where the staff member is entitled to removal costs under rule 107.27, one month's net base salary and, where appropriate, post adjustment;

b. Where the staff member is not entitled to removal costs under rule 107.27, one month's net base salary and, where appropriate, post adjustment if the assignment is for less than three years, and two months' net base salary and, where appropriate, post adjustment if the assignment is for three years or more.

If an assignment for less than three years is extended to three years or more, the staff member shall be paid at that time a second one-month lump sum.

(e) If a change of official duty station or a new appointment involves a return to a place at which the staff member was previously stationed, the full amount of the assignment grant shall not be payable unless the staff member has been absent from that place for at least one year. In the case of a shorter absence, the amount payable shall normally be that proportion of the full grant that the completed months of absence bear to one year.

(f) Where both husband and wife are staff members who are travelling at United Nations expense to a duty station, and taking into account rule 104.10 (d), the daily subsistence allowance portion of the assignment shall be paid to each in respect of himself or herself. If they have a dependent child or children, the assignment grant in respect of such child or children shall be paid to the staff member on whom the child is recognized to be dependent.

(g) If both husband and wife would otherwise qualify for the lump sum portion of the grant, such lump sum shall be paid only to the spouse whose lump sum portion yields the higher amount.

(h) In cases where the staff member has not completed the period of service in respect of which the assignment grant has been paid, the grant shall be adjusted proportionately and recovery made under conditions established by the Secretary-General who, in exceptional circumstances, may decide to waive recovery.

(i) The Secretary-General may, in appropriate cases, authorize payment of all or part of the assignment grant where the United Nations has not been required to pay travel expenses upon the appointment of a staff member regarded as internationally recruited under rule 104.7.

(b) In the case of unaccompanied shipments authorized under rule 107.21, except on home leave, family visit or education grant travel, insurance coverage will be provided by the Organization up to a maximum of:

(i) $16,000 for the staff member;

(ii) $8,000 for the first eligible family member; and

(iii) $4,800 for each additional family member.

Such insurance coverage shall not include articles of special value for which special premium rates are charged. The United Nations will not be responsible for loss or damage of unaccompanied baggage. When the unaccompanied shipment is in accordance with the entitlement for advance removal shipment authorized under rule 107.21 (h), the amount of the insurance coverage shall be deducted from the overall insurance entitlement authorized for removal shipments under paragraph (c) below.

(c) The cost of insurance of personal effects and household goods in transit (excluding articles of special value for which special rates of premium are charged) under rule 107.27 shall be reimbursed, up to maximum valuation of $40,000 for a staff member without a spouse or dependent child and $65,000 for a staff member with a spouse or dependent child residing at the official duty station. The United Nations shall in no case be responsible for loss or damage.

(d) In the case of unaccompanied shipments authorized under rule 107.21, except on home leave, family visit or education grant travel, or under rule 107.27, the staff member shall furnish the Organization, prior to shipment, with an itemized inventory in duplicate of all articles, including containers such as suitcases, and the replacement value in United States dollars of each article in the shipments.

Rule 107.23

Travel advances

(a) Staff members authorized to travel shall provide themselves with sufficient funds for all current expenses by securing an advance of funds if necessary. A reasonable advance of funds against the estimated reimbursable travel expenses may be made to a staff member or his or her family members for expenses authorized under these Rules. An advance of funds shall be considered reasonable if not more than 80 per cent of the estimated reimbursable expenses. If, in the course of travel, the staff member has earned in subsistence allowance an amount equal to the amount advanced, the staff member may be advanced the balance of the estimated reimbursable expenses.

(b) However, in those cases where a staff member is authorized to travel in accordance with staff rule 107.1 (a) (ii), an advance of funds at the rate of 100 per cent of the estimated travel subsistence allowance payable in accordance with staff rule 107.15 may be made.

Rule 107.24

Illness or accident during travel

The United Nations shall pay or reimburse reasonable hospital and medical expenses, in so far as these are not covered by other arrangements, which may be incurred by staff members who become ill or are injured while in travel status on official business.

Rule 107.25

Reimbursement of travel expenses

The Secretary-General may reject any claim for payment or reimbursement of travel or removal expenses which are incurred by a staff member in contravention of any provision of these rules.

Rule 107.26

Transportation of decedents

Upon the death of a staff member or of his or her spouse or dependent child, the United Nations shall pay the expenses of transportation of the body from the official duty station or, in the event of death having occurred while in travel status, from the place of death, to a place to which the deceased was entitled to return transportation under rule 107.1 or 107.2. These expenses shall include reasonable costs for preparation of the body. If local interment is elected, reasonable expenses incurred for the interment may be reimbursed.

Rule 107.27

Removal costs

(a) Subject to the provisions of rule 103.22 on mobility and hardship allowance, when an internationally recruited staff member is to serve at an established office for a continuous period that is expected to be two years or longer, the Secretary-General shall decide whether to pay the non-removal element of the mobility and hardship allowance under rule 103.22 or to pay costs for the removal of the staff member's personal effects and household goods under the following circumstances:

(i) On initial appointment for a period of two years or longer;

(ii) Upon completion of two years of continuous service;

(iii) On change of duty station to an established office, provided that the staff member is expected to serve at the new duty station for a period of two years or longer and that, in exceptional cases where the expected period of service is one year or more but less than two years, the Secretary-General may authorize payment of removal costs under this rule in lieu of the non-removal element of the mobility and hardship allowance under rule 103.22;

(iv) Upon separation from service, provided that the staff member had an appointment for a period of two years or longer or had completed not less than two years of continuous service and had been granted removal to the duty station.

(b) Under subparagraphs (a) (i) and (ii) above, the United Nations shall pay the expenses of removing a staff member's personal effects and household goods either from the place of recruitment or from the place recognized as his or her home for purposes of home leave under rule 105.3, provided that the effects and goods were in the staff member's possession at the time of appointment and are being transported for his or her own use. Payment of removal expenses from a place other than those specified may be authorized by the Secretary-General in exceptional cases, on such terms and conditions as the Secretary-General deems appropriate. No expenses shall be paid for removing a staff member's personal effects and household goods from one residence to another at the duty station.

(c) Under subparagraph (a) (iv) above, the United Nations shall pay the expenses of removing a staff member's personal effects and household goods from the official duty station to any one place to which the staff member is entitled to be returned in accordance with the provisions of rule 107.1 or any other one place authorized by the Secretary-General in exceptional cases on such terms and conditions as the Secretary-General deems appropriate, provided that the effects and goods were in the staff member's possession at the time of separation from service and are being transported for his or her own use.

(d) Payment by the United Nations of removal expenses shall be subject to the following considerations:

(i) The maximum weight and volume for which entitlement to removal at United Nations expense exists shall be 4,890 kilograms (10,800 pounds) or 30.58 cubic metres (1,080 cubic feet), including the weight or volume of packing but excluding crating and lift vans, for a staff member without a spouse or dependent child and 8,150 kilograms (18,000 pounds) or 50.97 cubic metres (1,800 cubic feet) for a staff member with a spouse or dependent child residing at the official duty station. Higher maxima may be authorized if the staff member presents convincing evidence that his or her normal and necessary personal effects and household goods to be removed exceed those limits;

(ii) For the purposes of unaccompanied shipments and removal, personal effects and household goods shall include all effects and goods normally required for personal or household use provided that animals, boats, automobiles, motorcycles, trailers and other power-assisted conveyances shall in no case be considered as such effects and goods;

(iii) Shipments under this rule shall normally be made in one consignment. Reasonable costs of packing, crating, cartage, unpacking and uncrating of such shipments within the limits of the authorized weight or volume will be reimbursed, but costs for the servicing, dismantling, installing or special packing of personal effects and household goods shall not be reimbursed. Storage and demurrage charges shall not be reimbursed unless, in the opinion of the Secretary-General, they are directly incidental to the transportation of the consignment;

(iv) Transportation of personal effects and household goods shall be by the most economical means, as determined by the Secretary-General, taking into account costs allowable under subparagraph (d) (iii) above;

(v) In addition to the removal expenses under this rule, the cost of transporting a privately owned automobile to a duty station may be partially reimbursed under conditions established by the Secretary-General, provided that the duty station to which the automobile is transported is one of the duty stations designated for that purpose and that the assignment of the staff member to the duty station is expected to be for a period of two years or more or that the initial assignment for a lesser period is extended so that the total period of assignment becomes two years or more.

(e) Removal costs shall not be payable under this rule in the case of mission service.

(f) Where both husband and wife are staff members and each is entitled to removal of personal effects and household goods or to unaccompanied shipment under rule 107.21 (f), and taking into account rule 104.10 (d), the maximum weight or volume that may be removed at United Nations expense for both of them shall be that provided for a staff member with a spouse or dependent child residing at the official duty station.

(g) When an internationally recruited staff member is assigned to a duty station where the non-removal element of the mobility and hardship allowance, rather than payment of removal costs, is authorized, the United Nations shall pay the cost for the storage of personal effects and household goods and other pertinent charges, including the cost of insurance up to a maximum of $80,000 for a staff member without a spouse or dependent child and $130,000 for a staff member with a spouse or dependent child, provided that:

(i) The staff member is assigned from a duty station to which he or she enjoyed removal entitlement under paragraph (a) above or would have enjoyed such entitlement had the staff member been recruited from outside the area of the duty station;

(ii) The staff member is expected to return to the same duty station within five years;

(iii) The quantity of personal effects and household goods stored does not exceed the difference between the maximum allowance under paragraph (d) above and the amount actually shipped under rule 107.21. The maximum insurance value shall be reduced accordingly.

Storage charges shall not be paid beyond the five-year period following the date of the assignment. However, when a staff member's assignment is extended beyond the initial period of five years for a period of up to two years at the same duty station, storage charges may continue to be paid for the period of such extension. Storage charges shall not be paid in the case of mission or other assignments not involving a change of official duty station.

Chapter IX

SEPARATION FROM SERVICE

Rule 109.1

Special Advisory Board, definition of termination, and abolition of posts and reduction of staff

(a) Special Advisory Board

The Special Advisory Board under staff regulation 9.1 (a) shall be composed of a Chairman appointed by the Secretary-General on the nomination of the President of the International Court of Justice and of four members appointed by the Secretary-General in agreement with the Staff Council.

(b) Definition of termination

A termination within the meaning of the Staff Regulations is a separation from service initiated by the Secretary-General, other than retirement at the age of sixty years or more or summary dismissal for serious misconduct.

(c) Abolition of posts and reduction of staff

(i) Except as otherwise expressly provided in subparagraph (ii) b below, if the necessities of the service require abolition of a post or reduction of the staff and subject to the availability of suitable posts in which their services can be effectively utilized, staff members with permanent appointments shall be retained in preference to those on all other types of appointments and staff members with probationary appointments shall be retained in preference to those on fixed-term or indefinite appointments, provided that due regard shall be had in all cases to relative competence, to integrity and to length of service. Due regard shall also be had to nationality in the case of staff members with no more than five years of service and in the case of staff members who have changed their nationality within the preceding five years when the suitable posts available are subject to the principle of geographical distribution.

(ii) a. The provisions of subparagraph (i) above in so far as they relate to locally recruited staff members shall be deemed to have been satisfied if such locally recruited staff members have received consideration for suitable posts available at their duty stations.

b. Staff members specifically recruited for service with any programme, fund or subsidiary organ of the United Nations which enjoys a special status in matters of appointment under a resolution of the General Assembly or as a result of an agreement entered by the Secretary-General, have no entitlement under this rule for consideration for posts outside the organ for which they were recruited.

Rule 109.2

Resignation

(a) A resignation, within the meaning of the Staff Regulations, is a separation initiated by a staff member.

(b) Unless otherwise specified in their letters of appointment, three months' written notice of resignation shall be given by staff members having permanent appointments and thirty days' written notice of resignation by those having temporary appointments. The Secretary-General, however, may accept resignations on shorter notice.

(c) The Secretary-General may require the resignation to be submitted in person in order to be acceptable.

Rule 109.3

Notice of termination

(a) A staff member whose permanent appointment is to be terminated shall be given not less than three months' written notice of such termination.

(b) A staff member whose temporary appointment is to be terminated shall be given not less than thirty days' written notice of such termination or such notice as may otherwise be stipulated in his or her letter or appointment.

(c) In lieu of these notice periods, the Secretary-General may authorize compensation calculated on the basis of the salary and allowances which the staff member would have received had the date of termination been at the end of the notice period.

Rule 109.4

Termination indemnity

(a) Payment of termination indemnity under staff regulation 9.3 and annex III to the Staff Regulations shall be calculated:

(i) For staff in the Professional and higher categories, on the basis of the staff member's gross salary less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (i);

(ii) For staff in the Field Service category, on the basis of the staff member's gross salary less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (i), plus language allowance, if any.

However, in the case of staff in service prior to 1 July 1990, the above calculations shall continue to be made on the basis of the corresponding scales of separation payments in Appendix A to the Staff Rules until such time as the amounts in the net base salary scales exceed those in the scales of separation payments.

(iii) For staff in the General Service and related categories, on the basis of the staff member's pensionable remuneration, including:

a. Language allowance, if any; and

b. In respect of staff in receipt of non-resident's allowance under rule 103.5 (d), such non-resident's allowance,

less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (ii) applied to the gross salary alone.

(b) Length of service shall be deemed to comprise the total period of a staff member's full-time continuous service with the Secretariat, regardless of types of appointment. Continuity of such service shall not be considered as broken by periods of special leave. However, service credits shall not accrue during periods of special leave with partial pay or without pay of one full month or more.

(c) Termination indemnity shall not be paid to any staff member who, upon separation from service, will receive a retirement benefit under article 28 of the United Nations Joint Staff Pension Fund Regulations or compensation for total disability under rule 106.4.

Rule 109.5

Repatriation grant

Payment of repatriation grants under regulation 9.4 and annex IV to the Staff Regulations shall be subject to the following conditions and definitions:

(a) "Obligation to repatriate", as used in annex IV to the Staff Regulations, shall mean the obligation to return a staff member and his or her spouse and dependent children, upon separation, at the expense of the United Nations, to a place outside the country of his or her duty station.

(b) "Home country", as used in annex IV to the Staff Regulations, shall mean the country of home-leave entitlement under rule 105.3 or such other country as the Secretary-General may determine.

(c) If at any time a staff member was considered to have acquired permanent residence in the country of his or her duty station and subsequently changed from such status, the staff member's continuous service will be deemed to have commenced at the time the change was made. Continuity of such service shall not be considered as broken by periods of special leave. However, for the purpose of calculating the amount of the grant payable, service credit shall not accrue during periods of special leave with partial pay or without pay of one full month or more.

(d) Payment of the repatriation grant shall be subject to the provision by the former staff member of evidence of relocation away from the country of the last duty station. Evidence of relocation shall be constituted by documentary evidence that the former staff member has established residence in a country other than that of the last duty station.

(e) Entitlement to repatriation grant shall cease if no claim for payment of the grant has been submitted within two years after the effective date of separation. However, where both husband and wife are staff members and the spouse who separates first is entitled to repatriation grant, his or her entitlement to repatriation grant shall cease if no claim for payment of the grant has been submitted within two years after the date of separation of the other spouse.

(f) (Cancelled)

(g) Payment of the repatriation grant shall be calculated:

(i) For staff in the Professional and higher categories, on the basis of the staff member's gross salary, less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (i);

(ii) For staff in the Field Service category, on the basis of the staff member's gross salary, less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (i), plus language allowance, if any.

However, in the case of staff in service prior to 1 July 1990, the above calculations shall continue to be made on the basis of the corresponding scales of separation payments in Appendix A to the Staff Rules until such time as the amounts in the net base salary scales exceed those in the scales of separation payments.

(iii) For staff in the General Service and related categories, on the basis of the staff member's pensionable remuneration, including:

a. Language allowance, if any; and

b. In respect of staff in receipt of non-resident's allowance under rule 103.5 (d), such non-resident's allowance,

less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (ii) applied to the gross salary alone.

(h) Payment shall be at the rates specified in annex IV to the Staff Regulations.

(i) No payments shall be made to local recruits under rule 104.6 to a staff member who abandons his or her post or to any staff member who is residing at the time of separation in his or her home country while performing official duties. A staff member who, after service at a duty station outside his or her home country, has served at a duty station within that country may be paid on separation, subject to paragraph (d) above, a full or partial repatriation grant at the discretion of the Secretary-General.

(j) A dependent child, for the purpose of repatriation grant, shall mean a child recognized as dependent under rule 103.24 (b) at the time of the staff member's separation from service. The repatriation grant shall be paid at the rate for a staff member with a spouse or dependent child to eligible staff members regardless of the place of residence of the spouse or dependent child.

(k) Where both husband and wife are staff members and each is entitled, on separation, to payment of a repatriation grant, and taking into account rule 104.10 (d), payment shall be made to each, at single rates, according to their respective entitlements, provided that, where dependent children are recognized, the first parent to be separated may claim payment at the rate applicable to a staff member with a spouse or dependent child. In this event, the second parent, on separation, may claim payment at the single rate for the whole period of qualifying service or, if eligible, at the rate applicable to a staff member with a spouse or dependent child for the whole period of his or her qualifying service, from which shall normally be deducted the amount difference between the dependency rate and the single rate of the repatriation grant paid to the first parent.

(l) Loss of entitlement to payment of return travel expenses under rule 107.4 shall not affect a staff member's eligibility for payment of the repatriation grant.

(m) In the event of the death of an eligible staff member, no payment shall be made unless there is a surviving spouse or one or more dependent children whom the United Nations is obligated to return to their home country. If there is one such survivor, payment shall be made at the single rate; if there are two or more such survivors, payment shall be made at the rate applicable to a staff member with a spouse or dependent child.

Rule 109.6

Retirement

Retirement under article 28 of the United Nations Joint Staff Pension Fund Regulations shall not be regarded as a termination within the meaning of the Staff Regulations and Staff Rules.

Rule 109.7

Expiration of fixed-term appointments

(a) A temporary appointment for a fixed term shall expire automatically and without prior notice on the expiration date specified in the letter of appointment.

(b) Separation as a result of the expiration of any such appointment shall not be regarded as a termination within the meaning of the Staff Regulations and Staff Rules.

Rule 109.8

Commutation of accrued annual leave

If, upon separation from service, a staff member has accrued annual leave, the staff member shall be paid a sum of money in commutation of the period of such accrued leave up to a maximum of sixty working days. The payment shall be calculated:

(i) For staff in the Professional and higher categories, on the basis of the staff member's net base salary plus post adjustment;

(ii) For staff in the Field Service category, on the basis of the staff member's net base salary plus post adjustment;

(iii) For staff in the General Service and related categories, on the basis of the staff member's pensionable remuneration, including:

a. Language allowance, if any; and

b. In respect of staff in receipt of non-resident's allowance under rule 103.5 (d), such non-resident's allowance,

less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (ii) applied to the gross salary alone.

Rule 109.9

Restitution of advance annual and sick leave

Upon separation, a staff member who has taken advance annual or sick leave beyond that which he or she has subsequently accrued shall make restitution for such advance leave by means of a cash refund or an offset against moneys due to the staff member from the United Nations, equivalent to the remuneration received, including allowances and other payments, in respect of the advance leave period. The Secretary-General may waive this requirement if in the opinion of the Secretary-General there are exceptional or compelling reasons for so doing.

Rule 109.10

Last day for pay purposes

(a) When a staff member is separated from service, the date on which entitlement to salary, allowances and benefits shall cease shall be determined according to the following provisions:

(i) Upon resignation, the date shall be either the date of expiration of the notice period under rule 109.2 or such other date as the Secretary-General accepts. Staff members will be expected to perform their duties during the period of notice of resignation, except when the resignation takes effect upon the completion of maternity leave or following sick or special leave. Annual leave will be granted during the notice of resignation only for brief periods;

(ii) Upon expiration of a fixed-term appointment, the date shall be the date specified in the letter of appointment;

(iii) Upon termination, the date shall be the date provided in the notice of termination;

Chapter XI

JOINT APPEALS BOARDS

Rule 111.1

Establishment

(a) Joint appeals boards shall be established in New York, Geneva, Vienna, Nairobi and at such other duty stations as may be designated by the Secretary-General to consider and advise the Secretary-General regarding appeals filed under the terms of staff regulation 11.1.

(b) Each Joint Appeals Board shall be composed of:

(i) Chairpersons appointed by the Secretary-General from among a list presented by the joint staff/management machinery in respect of the staff representative body or bodies at the duty station at which the Board is established;

(ii) Members appointed by the Secretary-General;

(iii) An equal number of members elected by ballot of the staff under the jurisdiction of the Board.

The number of chairpersons and members of each Board shall be determined by the Secretary-General upon recommendation of the joint staff/management machinery in respect of the staff representative body or bodies at the duty station at which the Board is established.

(c) The chairpersons and members of the Joint Appeals Board shall be appointed or elected for two years, shall be eligible for reappointment or re-election and shall remain in office until their successors are appointed or elected.

(d) A chairperson may be removed from a Joint Appeals Board by the Secretary-General upon recommendation of the joint staff/management machinery in respect of the staff representative body or bodies of the duty station at which the Board is established. The members appointed by the Secretary-General may be removed by him. The members elected by the staff may be recalled by a majority vote of the staff under the jurisdiction of the Board concerned, taken at the initiative of any staff representative body at the duty station at which that Board is established.

(e) Each Joint Appeals Board shall establish its own rules of procedure, which shall specify how its presiding officer and, where necessary, any alternate presiding officers shall be selected from among the chairpersons.

(f) Each Joint Appeals Board may, by a majority vote of all its chairpersons and members, recommend to the Secretary-General changes in the present chapter of the Staff Rules.

(g) The secretariat of each Joint Appeals Board shall consist of a secretary and such other staff as may be required for its proper functioning.

Rule 111.2

Appeals

(a) A staff member wishing to appeal an administrative decision, pursuant to staff regulation 11.1, shall, as a first step, address a letter to the Secretary-General, requesting that the administrative decision be reviewed; such a letter must be sent within two months from the date the staff member received notification of the decision in writing.

(i) If the Secretary-General replies to the staff member's letter, he or she may appeal against the answer within one month of the receipt of such reply;

(ii) If the Secretary-General does not reply to the letter within one month in respect of a staff member stationed in New York, or within two months in respect of a staff member stationed elsewhere, the staff member may appeal against the original administrative decision within one month of the expiration of the time-limit specified in this subparagraph for the Secretary-General's reply.

(b) The Secretary-General, in reviewing the administrative decision in question, may, with the consent of the staff member or at the latter's request, seek the assistance of a chairperson or member of the appropriate Joint Appeals Board, to be designated by its presiding officer, with a view to reaching a conciliatory conclusion of the matter. This procedure is without prejudice to the right of the staff member to pursue an appeal under the provisions of this rule.

(c) Neither a request for administrative review under paragraph (a) above nor the filing of an appeal under paragraph (d) below shall have the effect of suspending action on the contested decision.

(i) However, the staff member concerned may request a suspension of action on such decision by writing to the Secretary of the appropriate Joint Appeals Board under paragraph (d) below. The request shall set forth the relevant facts and indicate how implementation would directly and irreparably injure the staff member's rights;

(ii) Upon receipt of such a request, a panel of the Board shall be promptly constituted, and shall act expeditiously. If the panel, after considering the views of both parties, determines that the decision has not been implemented and that its implementation would result in irreparable injury to the appellant, it may recommend to the Secretary-General the suspension of action on that decision:

a. Until the time-limits specified in subparagraph (a) (i) or (ii) have passed without an appeal having been filed, or

b. If an appeal is filed, until a decision on the appeal is taken;

(iii) The Secretary-General's decision on such a recommendation is not subject to appeal.

(d) An appeal pursuant to paragraph (a) or a request for suspension of action pursuant to paragraph (c) above shall be filed with the Secretary of the appropriate Joint Appeals Board, to be determined as follows:

(i) With respect to staff members serving at a duty station at which a Board has been established or who are administered by organizational units located at such duty station, it shall be the Board;

(ii) With respect to former staff members who last served at a duty station at which a Board has been established or who were administered by organizational units located at such a duty station, it shall be that Board;

(iii) With respect to all other staff members and all other former staff members, it shall be the Board established in New York, provided that the Secretary-General may decide, at the request of the staff member, to refer the appeal to another one of the Boards or to establish an appropriate ad hoc body. Such staff members or former staff members may meet the time-limits specified in subparagraphs (a) (i) or (ii) by delivering the requisite submissions within such limits to any office of the United Nations for transmission to the appropriate Board.

(e) (i) For the consideration of each appeal, the presiding officer of the appropriate Joint Appeals Board shall constitute a panel of the Board, composed as follows:

a. A panel chairperson from among the chairpersons of the Board;

b. A member selected from among those appointed by the Secretary-General;

c. A member selected from among those elected by the staff;

(ii) In constituting such panels, the maximum possible rotation of chairpersons and members of the Board shall be observed: the modalities of such rotation shall be specified in the rules of procedure of the Board. No person who has assisted the Secretary-General in a conciliation procedure referred to in paragraph (b) shall serve on a panel established to consider an appeal relating to the same case;

(iii) Before a panel undertakes consideration of an appeal, the parties shall be notified of the proposed composition thereof. The presiding officer of the Board may, at the request of either party, disqualify the chairperson or either member if, in the opinion of the presiding officer, such action is warranted to ensure impartiality. He or she may also excuse the chairperson or either member from serving on the panel;

(iv) Subject to the principles set out in subparagraphs (i) to (iii), the presiding officer of the Board shall fill any vacancies arising on the panel.

(f) An appeal shall not be receivable unless the time-limits specified in paragraph (a) above have been met or have been waived, in exceptional circumstances, by the panel constituted for the appeal.

(g) At the duty station where the appeal is considered, the designated representative of the Secretary-General shall submit a written reply within two months following the date of receipt of the appeal.

(h) Proceedings before a panel shall normally be limited to the original written presentation of the case, together with brief statements and rebuttals, which may be made orally or in writing, in one of the working languages of the Secretariat.

(i) A staff member may arrange to have his or her appeal presented to the panel on his or her behalf by another serving or retired staff member. The staff member may not, however, be represented before the panel by any other person.

(j) Where the competence of the Joint Appeals Board is in doubt, the panel constituted for the appeal shall decide.

(k) In the case of termination or other action on grounds of inefficiency or relative efficiency, the panel shall not consider the substantive question of efficiency but only evidence that the decision was motivated by prejudice or by some other extraneous factor.

(l) The panel shall have authority to call members of the Secretariat who may be able to provide information concerning the issues before it and shall have access to all documents pertinent to the case. Notwithstanding the preceding sentence, should the panel wish to have information or documents relating to the proceedings of the appointment and promotion bodies in questions involving appointment and promotion, it shall request such information or documents from the Chairperson of the Appointment and Promotion Board, who shall decide on the panel's request, taking into account the interests of confidentiality. This decision of the Chairperson is not subject to appeal. The Chairperson of the panel shall determine which documents are to be transmitted to all members of the panel and the parties.

(m) In considering an appeal, the panel shall act with the maximum dispatch consistent with a fair review of the issues before it.

(n) Within one month of the date on which the consideration of an appeal has been completed, the panel shall, by majority vote, adopt and submit a report to the Secretary-General. The report shall be considered as constituting a record of the proceedings in the appeal and may include a summary of the matter as well as all recommendations that the panel considers appropriate. Votes on the recommendations shall be recorded and any member of the panel may have his or her dissenting opinion included in the report.

(o) The final decision on the appeal will normally be taken by the Secretary-General within one month after the panel has forwarded its report, and shall be communicated to the staff member, together with a copy of the panel's report. The Secretary-General's decision and a copy of the panel's report shall also be transmitted to a designated officer of the staff representative body or bodies at the duty station at which the Joint Appeals Board is established, unless the staff member objects.

(p) To enable staff members to exercise their right to make application to the Administrative Tribunal under article 7, paragraphs 2 (b) and (c), of its statute, the Secretary of the Joint Appeals Board concerned shall, at the request of the staff member, communicate to him or her the report of the panel, if the Secretary-General has not made a decision upon the report within a period of one month after the date on which the report was submitted to him.

Rule 111.3

(Cancelled)

Rule 111.4

(Cancelled)

Rule 112.5

Staff member's beneficiaries

(a) At the time of appointment, each staff member shall nominate a beneficiary or beneficiaries in writing in a form prescribed by the Secretary-General. It shall be the responsibility of the staff member to notify the Secretary-General of any revocations or changes of beneficiaries.

(b) In the event of the death of a staff member, all amounts standing to the staff member's credit will be paid to his or her nominated beneficiary or beneficiaries, subject to application of the Staff Rules and of the Joint Staff Pension Fund Regulations. Such payment shall afford the United Nations a complete release from all further liability in respect of any sum so paid.

(c) If a nominated beneficiary does not survive, or if a designation of beneficiary has not been made or has been revoked, the amount standing to the credit of a staff member will, upon the staff member's death, be paid to his or her estate.

Rule 112.6

Service and conduct reports

In the salary levels below the Director (D-2) level, the service and conduct of a staff member shall be the subject of reports made from time to time by the staff member's supervisors. Such reports, which shall be shown to the staff member, shall form a part of his or her permanent cumulative record.

Rule 112.7

Proprietary rights

All rights, including title, copyright and patent rights, in any work performed by a staff member as part of his or her official duties shall be vested in the United Nations.

Rule 112.8

Effective date and authentic texts of rules

Except as otherwise indicated and subject always to the provisions of regulations 12.1, 12.2, 12.3, 12.4 and 12.5, rules 100.1 to 112.8 as published in the present revised edition (ST/SGB/Staff Rules/1/Rev.7/Amend.3) shall be effective 1 January 1993. The English and French texts of these rules are equally authoritative.

ANNEXES TO THE STAFF REGULATIONS

Annex I

SALARY SCALES AND RELATED PROVISIONS

1. The Administrator of the United Nations Development Programme, having the status equivalent to that of the executive head of a major specialized agency, shall receive a salary of $US 151,233 a year; the Director-General for Development and International Economic Cooperation shall receive a salary of $US 151,233 a year; an Under-Secretary-General shall receive a salary of $US 121,635 a year; and an Assistant Secretary-General shall receive a salary of $US 110,000 a year, subject to the staff assessment plan provided in staff regulation 3.3 and to post adjustments wherever applied. If otherwise eligible, they shall receive the allowances that are available to staff members generally.

2. The Secretary-General is authorized, on the basis of appropriate justification and/or reporting to make additional payments to the Director-General for Development and International Economic Cooperation, to Under-Secretaries-General and to Assistant Secretaries-General to compensate for such special costs as may be reasonably incurred, in the interests of the Organization, in the performance of duties assigned to them by the Secretary-General. The maximum total amount of such payments is to be determined in the programme budget by the General Assembly.

3. Except as provided in paragraph 6 of the present annex, the salary scales for staff members in the Director and Principal Officer category and in the Professional category shall be as shown in the present annex.

4. Subject to satisfactory service, salary increments within the levels set forth in paragraph 3 of the present annex shall be awarded annually, except that any increments to step XII of the Associate Officer level, steps XIV and XV of the Second Officer level, steps XIII, XIV and XV of the First Officer level, steps XI, XII and XIII of the Senior Officer level and above step IV of the Principle Officer level shall be preceded by two years at the previous step. The Secretary-General is authorized to reduce the interval between salary increments to ten months and twenty months, respectively, in the case of staff subject to geographical distribution who have an adequate and confirmed knowledge of a second official language of the United Nations.

5. The Secretary-General is authorized on the basis of appropriate justification and/or reporting, to make additional payments to Directors and, where offices are away from Headquarters, to their heads, to compensate for such special costs as may be reasonably incurred in the interest of the Organization in the performance of duties assigned to them by the Secretary-General. The maximum total amount of such payments is to be determined in the programme budget by the General Assembly.

6. The Secretary-General shall determine the salary rates to be paid to personnel specifically engaged for conferences and other short-term service, to consultants, to Field Service personnel, and to technical assistance experts.

Conditions governing acquisition of entitlement to benefits of international recruitment

Pursuant to rule 104.7:

(i) If a staff member in permanent residence status takes up non-immigrant status in the country of his or her duty station, the staff member shall thereupon be granted entitlement to such of the allowances and benefits stipulated in rule 104.7 to which he or she is otherwise entitled and the staff member shall begin to accrue service credit for such allowances and benefits from the date on which he or she acquires non-immigrant status.

(ii) (Cancelled)

Appendix C

ARRANGEMENTS RELATING TO MILITARY SERVICE

(a) In accordance with section 18 (c) of the Convention on Privileges and Immunities of the United Nations, staff members who are nationals of those Member States which have acceded to that Convention shall be "immune from national service obligations" in the armed services of the country of their nationality.

(b) Any requests to Governments which have not acceded to the Convention to defer or exempt staff members from military service by reason of their employment with the United Nations shall be made by the Secretary-General and not by the staff member concerned.

(c) Staff members who have completed one year of satisfactory probationary service or who have a permanent appointment may, if called by a Member Government for military service, whether for training or active duty, be placed on special leave without pay for the duration of their required military service. Other staff members, if called for military service, shall be separated from the Secretariat according to the terms of their appointments.

(d) A staff member called for military service who is placed on special leave without pay shall have the terms of appointment maintained as they were on the last day of service before the staff member went on leave without pay. The staff member's re-employment in the Secretariat shall be guaranteed, subject only to the normal rules governing necessary reductions in force or abolition of posts.

(e) In the interpretation of rule 109.1 (c), the period of special leave without pay for military service shall be counted for the purpose of establishing seniority.

(f) A staff member on special leave without pay for military service shall be required to advise the Secretary-General within ninety days after release from military service, if the staff member wishes to be restored to active duty with the Secretariat. The staff member shall also be required to submit a certificate of completion of military service.

(g) If a staff member, after the period of required military service, elects to continue such service or if the staff member fails to obtain a certified release therefrom, the Secretary-General will determine, on the merits of the particular case, whether further special leave without pay will be granted and whether re-employment rights shall be maintained.

(h) If the staff member's absence on special leave without pay appears likely to last six months or more, the United Nations will pay, if so requested, for transporting the staff member's spouse and dependent children to the staff member's place of entitlement and for their return travel after the staff member's return to active duty with the Secretariat, provided that the expenses involved will be counted as travel expenses related to the next home leave entitlement of the staff member.

(i) The United Nations shall not continue its contribution to the Joint Staff Pension Fund on behalf of the staff member during the staff member's absence on special leave without pay for military service.

(j) The provisions of rule 106.4 relating to illness, accident or death attributable to the performance of official duties on behalf of the United Nations shall not be applicable during periods of military service.

(k) The Secretary-General may, if the circumstances of the military service appear to warrant it, credit the staff member's period on special leave without pay for military service in fixing the salary step upon the staff member's return to active duty with the Secretariat.

(l) The Secretary-General may apply such of the foregoing provisions as are appropriate in the case of a staff member who, with the advance approval of the Secretary-General, volunteers for military service or requests a waiver of immunity under section 18 (c) of the Convention on Privileges and Immunities of the United Nations.

Appendix D

RULES GOVERNING COMPENSATION IN THE EVENT OF DEATH, INJURY OR ILLNESS ATTRIBUTABLE TO THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF THE UNITED NATIONS

Issued as a separate document (ST/SGB/Staff Rules/Appendix D/Rev.1 and Amend.1).

Article 16

Advisory Board on Compensation Claims

(d) The Board shall consist of:

(i) Three representatives of the Administration appointed by the Secretary-General;

(ii) Three representatives of the staff appointed by the Secretary-General on the recommendation of the Staff Committee;

who should have the necessary expertise in administrative and personnel matters.

Appendix E

(Cancelled)